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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,470	08/30/2001	Tomoko Sogabe	YAMAP0776US	9453

7590 12/30/2004
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EXAMINER

HA, DAC V

ART UNIT PAPER NUMBER

2634

DATE MAILED: 12/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/943,470	SOGABE ET AL.	
	Examiner	Art Unit	
	Dac V. Ha	2634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,7,12-14 and 20-22 is/are rejected.
- 7) ☒ Claim(s) 2-6,8-11 and 15-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/09/01</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claims 1, 7, 12-14, 20-22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim et al. (US 6,343,182) (hereinafter Kim) in view of Karino (US 5,677,935).

Regarding claim 1, Kim discloses the claimed subject matter "a signal input section for receiving an input signals an input signal determination section for determining a type of the input signal baaed on whether or not a first synchronization signal among a series of N synchronization signal exists" "of the input signal (N is an integer equal to or greater than 2); and a signal processing section for performing a signal processing process selected according to the type of the input signal on the input signal" in Fig. 3 & 6; col. 3, line 61 to col. 4, line 28; col. 9, lines 28-38, wherein Kim determine the type of input signal on the basis of the detection of the sync pattern among the series of sync pattern in the signal and process the signal (i.e., CD or DVD) accordingly. Kim differs from the claimed invention in that Kim doesn't teach "a predetermined search area". Karino, in the same field of endeavor, discloses the use of variable search area to reduce the probability that malfunction will occur in col. 2, lines

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33-40. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention to incorporate the teaching of variable search area taught by Karino into Kim to improve the signal detection.

Regarding claims 20-22, see claim 1 above.

Regarding claim 7, the claimed subject matter “wherein the predetermined search area is 2 Kbyte” would have been optional to one skilled in the art based on Karino.

Regarding claim 12, Kim further discloses the claimed subject matter “a host controller for changing an operating condition of the input signal determination section” in Fig. 5, element 511.

Regarding claim 13, Kim further discloses the claimed subject matter “wherein the operating condition of the input signal determination section includes at least one of a minimum unit of the input signal, the predetermined search area, and the value N” in col. 9, line 28-38.

Regarding claim 14, the claimed subject matter “where in the minimum unit of the input signal is 1 bit” would have been optional to one skilled in the art.

Allowable Subject Matter

3. **Claims 2-6, 8-11, 15-19** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

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4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Isozaki et al. (US 6,470,142) disclose Data Recording Apparatus, Data Recording Method, Data Recording And Reproducing Apparatus, Data Recording And Reproducing Method, Data Reproducing Apparatus, Data Reproducing Method, Data Record Medium, Digital Data Reproducing Apparatus, Digital Data Reproducing Method, Synchronization Detecting Apparatus, And Synchronization Detecting Method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dac V. Ha whose telephone number is 571-273-3040. The examiner can normally be reached on 5/4.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Chin can be reached on 571-272-3056. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature in black ink, appearing to read 'Dac V. Ha', with a long horizontal flourish extending to the right.

Dac V. Ha
Examiner
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